

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

PUBLIC SERVANTS - Municipal Administration Department- Surprise Check, conducted by the Anti Corruption Bureau, on the O/o Bhimavaram Municipality, on 21.4.1999- Disciplinary action initiated against Sri.G.siva Rama Raju, Bill Collector, O/o Bhimavaram Municipality, West Godavari District- Enquiry conducted- Punishment of 'Compulsory Retirement' imposed on the Charged Officer- Review Petition- Major Punishment of 'Withholding of three Annual Grade Increments with Cumulative Effect' imposed and Reinstatement into service- Orders- Issued.

MUNICIPAL ADMINISTRATION & URBAN DEVELOPMENT (Vig.IV.2) DEPARTMENT

G.O.Ms.No. 548

Dated:13-12-2011
Read the following:

1. From the Director-General, Anti Corruption Bureau, Hyd.Lr.Rc.No.60/DES-EWG/99,Dt:15.11.1999.
2. Govt. Memo No.26446/L1/99-2,MA, Dated:19.4.2000.
3. From the Commissioner & Director, Municipal Administration, Hyderabad, letter Rc.No.28530/99-K1,Dated:2.11.2000.
4. Govt. Memo No.2655/V1/2001-6,MA,Dated:21.12.2001
5. Govt. Memo No.2655/V1/2001-8,MA,Dated:05.3.2002.
6. Charge Memo Rc.No.430/99-2/R1-2,Dated:1.2.2002, issued by the Regional Director-cum-Appellate Commissioner, Rajahmundry.
7. Proc.Rc.No.430/99/A1,Dated:18.2.2003 of the Regional Director-cum-Appellate Commissioner, Rajahmundry.
8. Proc.Rc.No.1937/99/C1,Dated:25.3.2003 of the Chairman, Municipal Council, Bhimavaram.
9. Hon'ble A.P. Administrative Tribunal orders dated 26.3.2007, in O.A.No.2143/2003, filed by Sri.G.Sivarama Raju, Bill Collector
10. Appeal dated 09.4.2007 submitted by Sri.G.Sivarama Raju, Bill Collector(under orders of compulsory retirement)
- 11.Govt. Memo No. 2655/Vig.IV.2/2001-10,Dated:19.4.2007.
12. Govt. Memo No. 2655/Vig.IV.2/2001-15,Dated:18.12.2008.
13. Lr.Rc.No.430/1999/A3,Dt:2.12.2010 of the Regional Director-cum-Appellate Commissioner, Rajahmundry, forwarded by the Commissioner & Director, Municipal Administration, vide Letter Rc.No.213/2002/E2,Dated:31.1.2011.

ORDER:-

The officials of Anti Corruption Bureau has conducted a surprise check on the office of Bhimavaram Municipality on 21.4.1999 and found Sri.G.Sivarama Raju, Bill Collector and two others have committed certain irregularities. The following charges were framed against the Charged Officer Sri. G.Sivaramaraju, Bill Collector;

Charge-1:That Sri.G.Sivarama Raju,Bill Collector, Bhimavaram Municipality has issued a Bogus Property Tax Bill bearing No.50483 for Rs.331/- and collected unauthorized tax from Sri.Gudese Venkata Subba Rao, resident of Sixteenth ward of Bhimavaram and the said amount of Rs.331/- was misappropriated by Sri.G.Sivarama Raju, Bill Collector, Bhimavaram Municipality.

Charge-2:That he has deliberately misappropriated the Municipal money by creating bogus bills and therefore he liable for punishment.

2. Whereas, in the course of departmental enquiry, Government in the reference 5th read above, have issued instructions to the Commissioner & Director, Municipal Administration, Hyderabad, to impose penalties specified under Rule 9 of A.P. Civil Services (C.C.&A) Rules, 1991, against the Charged Officer Sri.G.Sivarama Raju, Bill Collector, duly following the procedure as stipulated under Rule 20(2) of A.P. Civil Services (C.C.&A) Rules,1991.

(P.T.O.)

3. Whereas, it is reported that the enquiry was conducted against the Charged Officer Sri.G.Siva Ramaraju, Bill Collector, Bhimavaram Municipality and concluded. Accordingly, a major penalty of 'Compulsory Retirement' was imposed in the reference 7th read above, by the Regional Director-cum-Appellate Authority, Municipal Administration, Rajahmundry, and with consequential order of the Chairman, Bhimavaram Municipal Council in the reference 8th read above.

4. Whereas, Sri. G.Sivarama Raju, Bill Collector (under compulsory Retirement) has filed O.A.No. 2143/2003 in the A.P. Administrative Tribunal, against his compulsory retirement. The Hon'ble A.P. Administrative Tribunal, in its orders dated 26.3.2007 in the reference 9th read above, has made following orders;

"Therefore, it is open for the applicant to file an appeal against the impugned

order dt:18.2.2003 of the 3rd respondent before the Government within two weeks from the date of receipt of a copy of this order and the Government to pass appropriate orders answering the contentions raised in the appeal by passing speaking orders as expeditiously as possible"

5. Accordingly, in the reference 10th read above, Sri.G.Sivarama Raju, has submitted Appeal Petition before the Government, requesting the Government to set-aside the orders of the Regional Director-cum-Appellate Authority, Municipal Administration, Rajahmundry, Rajahmundry, imposing compulsory retirement against him vide Proc. No.439/1999/A1, dated:18.2.2003 and the consequential Proc. 1037/1999/L1,Dt:25.3.2003 of the Chair-Person, Bhimavaram Municipality. Government in the references 11th & 12th read above, have called for the remarks of the Commissioner& Director, Municipal Administration, Hyderabad, on the appeal petition of the individual.

6. In the reference 13th read above, Commissioner & Director, Municipal Administration, Hyderabad, has forwarded the remarks of the Regional Director-cum-Appellate Authority, Municipal Administration, Rajahmundry.

7. Wherein, Regional Director-cum-Appellate Authority, Municipal Administration, Rajahmundry has reported that the enquiry on the irregularities committed by Sri. G. Sivarama Raju, was conducted as per the procedure laid down in A.P.Civil Services(C.C.& A) Rules,1991 and requested to consider the following submission made by the delinquent officer Sri.G.Sivarama Raju, Bill Collector(U/Compulsory Retirement), which are vital for disposal of the appeal;

1. The delinquent officer was on medical leave when the misappropriation of Rs.331/- was said to have been made.
2. The Enquiry Officer who conducted the enquiry under APSC(CCA)Rules,1991, has stated that lenient view may be taken considering the explanation of the delinquent officer as the amount involved is meager.
3. A major penalty of withholding (3) annual grade increments with cumulative effect should be imposed on the individual.

Government, after careful examination of the matter and after reviewing the said Petition, have decided to modify the punishment of 'Compulsory Retirement' imposed vide in the references 7th & 8th read above, against Sri.G.Sivaramaraju, Bill Collector, Bhimavaram Municipality, West Godavari District in terms of Rule 38(c) of A.P.Civil Services (C.C.& A) Rules, 1991, by imposing "Withholding of 3 (three) Annual Grade Increments with Cumulative effect" against Sri.G.Sivarama Raju, Bill Collector.

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9. Accordingly, Government duly modifying the punishment of 'Compulsory Retirement' imposed earlier by the Regional Director-cum- appellate Commissioner, Rajahmundry in his Proceedings dated 18.2.2003, against the Charged Officer, hereby impose punishment of Withholding of 3 (three) Annual Grade Increments with Cumulative effect" against Sri.G.Sivarama Raju, Bill Collector, and he shall be reinstated into duty with immediate effect.

10. The issue of treating the period in between the date of his compulsory retirement and date of his reinstating into duty will be examined separately.

11. The Director, Municipal Administration, Hyderabad shall take necessary action in the matter.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

**B.SAM BOB
PRINCIPAL SECRETARY TO GOVERNMENT**

To

Sri.G.Sivarama Raju,Bill Collector

(under compulsory retirement),

through the Director, Municipal Administration, Hyderabad.

The Director of Municipal Administration, Hyderabad.

The Regional Director-cum-Appellate Commissioner,

Municipal Administration, Rajahmundry.

The Commissioner, Bhimavaram Municipality, West Godavari District.

Copy to:

The Director-General, Anti Corruption Bureau, Hyderabad.

The Secretary to Vigilance Commissioner,

A.P. Vigilance Commission, Hyderabad.

The Secretary, A.P. Public Service Commission, Hyderabad.

The Accountant-General (A&E), Andhra Pradesh, Hyderabad.

//FORWARDED BY ORDER//

SECTION OFFICER